

## SECTION 2330: SITE PLAN REVIEW [amended 1/00]

It is the purpose of this Section to require site plan review approval for certain buildings, structures, projects, and uses that can have a significant impact on natural resources, environmental quality, traffic patterns and the character of future development. Certain land uses possess characteristics, which can become undesirable because their intrinsic needs, operations and/or appearance have influence beyond their own perimeter. It is hereby deemed prudent and necessary to apply limits and guidelines which will encourage environmentally, and economically sustainable development practices.

Site plan review shall be applied to protect property values; to protect and promote public health, safety and general welfare by requiring access management, screening, buffering and landscaping of sites; to preserve groundwater and respect natural water cycles; to conserve natural features and resources; and to provide shade, conserve energy, provide visual and sound privacy and otherwise facilitate the creation of a convenient, attractive and harmonious community. The requirements contained in this Section are further intended to reduce hazards to life and property due to fire, flooding, soil erosion, inadequate surface water drainage, inadequate sewage disposal systems, pollution, dust, fumes, noise, vibration, noxious odors, and other hazards, and to facilitate the provision of a system of roads, streets, parking, municipal sewage disposal, storm sewers, municipal water supply, and other public needs.

1. Scope and Applicability: Site Plan review and approval shall be required in accordance with the procedures of this Ordinance prior to applying for a development permit or building permit for the construction, reconstruction, erection or expansion of any building or structure. Once a site plan is submitted, no clearing of the site or land disturbances shall occur until site plan approval is given and required performance guarantees are in place.
2. Approval required: Site plan review and approval is required for the following:
  - a. All business and industrial uses, or an expansion of such uses.
  - b. Developments with more than one dwelling per parcel, including but not limited to condominium projects developed pursuant to the Condominium Act p. a. 59 of 1978 as amended.
  - c. Expansion or paving of off-street parking and/or a change in circulation or access.
3. Staff approval: Sites of 2 acres or under with developments comprised of or adding 10,000 square feet or less, except those designated by this ordinance for Planning Commission review and approval shall be reviewed and require approval by the Zoning Administrator. The Zoning Administrator shall consult staff members from various city departments, as appropriate, to assist with the review.

4. Staff denial: In the event the Zoning Administrator rejects a site plan or a substantial portion of a site plan, the applicant shall have the right to review by the Planning Commission, which shall review the site plan or portion thereof in question, applying the same standards and method of review which is used in all planning commission site plan reviews.
5. Staff referral: In cases where the Zoning Administrator reasonably determines that a site plan presents problems or issues which should be reviewed for approval or rejection by the planning commission because of area wide effects, or technical difficulties or considerations, the Zoning Administrator may, with proper notice to the owner, refer the matter to the planning commission for review and action in accordance with the procedures and standards set forth for all planning commission review activities by this ordinance.
6. Planning Commission approval: Site plan review and approval by the Planning Commission is required as follows:
  - a. For Planned Unit Developments.
  - b. For all Special Uses.
  - c. For all multi-family developments with over 8 units.
  - d. For newly developed or redeveloped sites with over 2 acres of land, or for developments comprised of or adding over 10,000 square feet of structure.
  - e. For matters which have been appealed or referred to the planning commission from the Zoning Administrator, In such cases the planning commission may either approve or reject the applicable portion of the site plan, or it may refer the matter to the Zoning Administrator with further instructions.

Staff shall review said site plans and offer input to the Planning Commission in the form of a staff report summarized by the Zoning Administrator.

7. Review process:
  - a. Consultation: A preliminary meeting with staff is recommended prior to the submission of a site plan review application.
  - b. Preliminary review: The applicant may choose to submit a sketch plan to staff or the Planning Commission for preliminary input prior to the submittal of a full site plan.
  - c. Final Submittal: The Zoning Administrator shall review the application and site plan for completeness. Complete plans shall be forward for staff and Planning Commission review, as appropriate.

8. Information required: Information in possession of the City may be used to the extent appropriate for the proposed development. The Zoning Administrator may waive informational requirements clearly not applicable to a particular development. Site Plan Review materials shall consist of the following, as applicable:
- a. Application and review fee: The fee set by resolution of the City Commission for site plan review shall be paid upon application. An application for site plan review shall be made on a form supplied by the Zoning Administrator. A sufficient number of plans shall be provided for distribution and review.
  - b. Proof of ownership or option interest, or permission from the owner to engage in site plan approval.
  - c. Legal description of the property.
  - d. Project description.
  - e. Stormwater management plan.
  - f. Site Plan: Site plans shall be at a scale of not less than one (1) inch equals one hundred (100) feet with the following minimum information:
    - 1) The name and address of the person or firm who drafted the plan and the date on which the plan was prepared. Dates of updates to the plan shall also be recorded on the site plan.
    - 2) North arrow, vicinity map, scale, parcel number(s) and address of the property.
    - 3) Property lines, parcel dimensions, total site area.
    - 4) Location of existing and proposed structures, setbacks, dimensions and height. This information must also be provided for all accessory structures.
    - 5) Area reference points for adjacent properties, such as drives and structures within 100 feet.
    - 6) Existing land use and zoning classification of abutting properties.
    - 7) Topography elevations at five (5) foot contour intervals based on USGS datum with arrows showing the direction of existing overland flow of storm water runoff.
    - 8) A grading plan showing proposed contours and spot elevations clearly indicating proposed earth changes and proposed flow of stormwater.

- 9) A statement as to the suitability of such soils regarding the intended use as well as any soil erosion & sedimentation control measures to be used.
- 10) Indication of natural features including vegetation. Significant vegetation shall be outlined and described as retained or removed.
- 11) Water courses and water bodies, and demarcation of the ordinary high water mark or floodplain.
- 12) Location and size of existing and proposed public utilities and respective easements.
- 13) Location of easements and existing public streets, in and abutting the site, including pavement width and right-of-way lines.
- 14) Location and dimensions of existing and proposed driveways and parking areas for customers, employees and commercial vehicles. Site circulation patterns shall also be included.
- 15) Location, size, of loading and unloading areas.
- 16) Location of snow storage areas or means for disposing of excess snow.
- 17) Location and design of all pedestrian and non-motorized transportation systems and fixtures needed to support them.
- 18) A landscape plan showing required planting and buffering features that comply with this ordinance.
- 19) Location and use of all common open spaces, recreation areas and facilities (if any) provided by the development for its users, and the method by which they will be maintained.
- 20) Location, type, height and design of all outdoor lighting to be used on the site.
- 21) Location and specifications for all solid waste disposal facilities, including recycling facilities (if any).
- 22) Location and design of all signs and advertising features, including diagram of height and size of said signs.
- 23) Location of fire lanes, fire lock box, hydrants, standpipes and security lighting.

- 24) Location and specifications for existing or proposed outside, above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials, as well as containment structures or clear zones required by governmental authorities.
  - 25) A signature block for the applicant, Zoning Administrator and Chair of the Planning Commission to be signed once the final site plan is approved.
- 9. Professional Review: Additional studies may be required of the applicant for developments with regional impact including but not limited to, stormwater or infrastructure impact assessment and, traffic studies. The applicant may either provide the necessary studies or staff will obtain estimates for such studies based a consultant's estimate to perform them. Funds to cover consultant fees shall be provided by the applicant and shall be held in escrow by the city.
- 10. Conditions of Approval: As part of an approval to any site plan, conditions or limitations may be placed for protection of the public interest. Such conditions shall be related to and ensure that the review standards of this ordinance are met. A record of conditions imposed shall be maintained. If the Site Plan is approved with conditions the applicant shall submit a revised Site Plan with other required documents demonstrating compliance to the Zoning Administrator for approval prior to the application for a building or development permit.
- 11. Standards for Site Plan approval: Prior to approving a site plan, the City shall require that the following standards be satisfied:
  - a. Schedule of Regulations: The site plan shall comply with the requirements for height, lot size, yard space, density and all other requirements as set forth in the district regulations.
  - b. Other codes and standards: To the extent necessarily shown in the site plan, it shall comply with other applicable City codes and standards.
  - c. Compatibility with surrounding land use and development: All elements shall be located, designed and organized in relation to topography, the size and configuration of the parcel, the character of adjoining property and the type and size of the buildings. The site shall be developed so as not to impede the normal and orderly development or improvements of surrounding property for uses permitted in this Zoning Ordinance.
  - d. Preservation of natural features: The landscape shall be preserved in its natural state, insofar as practical, by removing only those areas of vegetation or making those alterations to the topography which are reasonably necessary to develop the site.

- e. Landscaping: Landscape buffers, and greenbelts shall be provided and designed in accordance with the provisions of this Ordinance. Fences, walks, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of the property and for the privacy of occupants and neighbors.
- f. Stormwater management: Drainage design shall recognize existing natural drainage patterns. Stormwater removal shall not adversely affect neighboring properties or the public storm drainage system. Provisions shall be made to accommodate stormwater on-site, using sound engineering practices.
- g. Soil erosion control: Appropriate measures shall be taken to ensure compliance with state and local soil and sedimentation control regulations.
- h. Wetlands Protection: The natural retention or storage capacity of any wetland, water body, or water course will not be substantially reduced or altered in a way which could increase flooding or water pollution at the site or other locations.
- i. Emergency Access: All site improvements and structures shall be arranged so as to permit necessary emergency vehicle access and to comply with the locally adopted fire code.
- j. Public streets and private roads: All uses must have access to a public street or a private road. All streets and curb cuts shall be developed in accordance with City specifications, the Michigan Department of Transportation, and/or private road regulations of the City, whichever applies.
- k. Access Management: Streets and drives on a site shall be of a width appropriate to the traffic volume they will carry and shall have adequate paved areas for vehicles. Traffic mitigation techniques such as on-site parallel access lanes, rear access lanes, deceleration lanes and traffic calming measures may be required. Shared curb cuts and accessways may also be required.
- l. Site Circulation and Parking: Parking areas shall meet the requirements of this ordinance. All parking spaces and circulation patterns shall be marked. Curb stops or curbing may be required to prevent encroachment on required setbacks and screening. Provisions for on-site maneuvering of vehicles shall be made so as to discourage backing and movements of trucks on abutting public streets. On site traffic control signs shall be visible and understandable.
- m. Pedestrian safety: The on-site pedestrian circulation system shall be separated as completely and reasonably as possible from the vehicular circulation system. In order to ensure public safety, special pedestrian measures such as sidewalks, crosswalks, and other such facilities may be required for the development. The site circulation shall be connected to existing or planned streets and pedestrian or bicycle pathways in the area as appropriate.

- n. Site amenities: The site plan shall provide outdoor common areas and associated amenities for employees, customers and/or residents which may include public trash receptacles, bike racks, seating areas, recreation areas, shade trees, bus stop turn-outs, and similar facilities where appropriate.
  - o. Utility Service: The development must be adequately served by necessary public services and shall not impose an undue burden on public services and infrastructure. All utilities for new construction shall be placed underground. Any installations which must remain above ground shall be compatible with those on adjacent properties.
  - p. Lighting: Exterior lighting shall be arranged so it is deflected away from adjacent properties and so it does not impede the vision of traffic along adjacent streets. Flashing or intermittent lights shall not be permitted. Design of lighting fixtures shall be compatible with those on adjacent properties. Light poles and fixtures shall be no higher than twenty-five (25) feet.
  - q. Signs: The size, location, and lighting of all permanent signs shall be consistent with the requirements of this Ordinance.
  - r. Accessibility: All sites shall be designed to comply with barrier-free requirements.
  - s. State and Federal Mandates: The site plan shall demonstrate compliance with any state or federal statute, regulation or ruling, whether general or site specific, which is applicable to the property. This shall include without limitation any legally enforceable restrictions on development or improvements which have been communicated or required by a state or federal agency. It shall include, without limitation, requirements of laws, regulations, rulings or agency requirements concerning environmental protection, waste management, floodplains, soil and sedimentation, protection of ground or surface water resources, soil conditions, and the presence of hazardous materials in or contamination of soils, air and water pollution matters and provisions which are designed for or reasonably related to the protection of the public health, safety or welfare. The applicant shall demonstrate that all said statutes, regulations, rulings, or requirements have been satisfied by its site plan and that there are no state or federal agencies which have required, or are in the process of requiring, any additional action, restriction or compliance. In the event a property is the subject of any governmental regulatory action or requirement, or without limitation, the property is located in the "facility" as defined by state or federal law, the state or federal agency responsible for the applicable regulation shall be notified in writing of the filing of the site plan and any hearing regarding the application for approval.
12. Phasing: If applicable, all development phases shall be designed in logical sequence to ensure that each phase will independently function in a safe, convenient and efficient manner without being dependent upon improvements of a subsequent phase and by not precluding subsequent development potential of remaining lands.

13. Validity: Approval of site plans not associated with a Planned Unit Development is valid for a period of 12 months. Failure to initiate material construction pursuant to an approved site plan in that time shall render the approval null and void.
14. Revocation: Any site plan review approval may be revoked by the Planning Commission after determination that one or more of the following circumstances exist:
  - a. A material error in the original approval has been discovered either because of inaccurate information supplied by the applicant or administrative error by a staff member or other agency
  - b. There has been a material departure from the commitments made and the requirements of an approved site plan.
  - c. Material and substantial pollution, impairment or destruction of the environment, or to another legally protected public interest, would occur if the project were to be constructed as previously approved.
  - d. Failure to perform, unless due to actions or circumstances beyond the applicant's control.

Appeals for time extensions of up to 6 months may be submitted and shall be reviewed by the Planning Commission.

Revocation of an approved site plan shall be communicated in writing with reasons therefor to the property owner. The Building Inspector shall also be notified to withhold any building permit until a new site plan is approved.

15. Performance Guarantees: A performance guarantee may be required to ensure compliance with the approved site plan.
16. Site Plan Modifications: Minor modifications to a site plan previously approved by the Planning Commission may be approved by the Zoning Administrator including, without limitation:
  - a. Change in any building size, up to five percent (5%) in total floor area
  - b. Relocation of a dumpster
  - c. Drive relocations
  - d. Modification of up to 10% of the total parking area
  - e. Sign location
  - f. The addition of small accessory buildings (of not more than one hundred twenty square feet in area)



- g. Movement of buildings or other structures by no more than ten feet
- h. Replacement of plant material specified in the landscape plan with comparable materials
- i. Changes in building materials to comparable or higher quality materials
- j. Change in floor plans which do not alter the character of the use
- k. Changes required or requested by the City or other regulatory agency in order to conform to their laws or regulations

Requests for site plan modifications will be duly recorded by the Zoning Administrator and reflected by the applicant in the "as built" plans.

17. As-built plans: Upon completion of the project, and prior to the issuance of a Certificate of Occupancy or Certificate of Compliance, three as-built plans, accurately demonstrating compliance with grades and drainage plan, shall be provided to the Zoning Administrator. The Zoning Administrator shall provide one copy to the Assessor, and one copy to the Building Official.